



E-NEWSLETTER

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Chronicling the successes; embracing the challenges in the term ahead

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Thank you, Council President Burgess, Councilmembers and Mayor Murray; thank you, Ann; and thank you, the People of Seattle, for entrusting leadership of your City Attorney's Office to this public servant for another four years. Today is about looking ahead, but it's helpful to reflect briefly on the last four years to better imagine the possibilities before us now.

In case you haven't heard, we've legalized marijuana in Washington state. We've successfully advocated for legislation reducing prosecutions for "driving while poor," equalizing the treatment of citizens and noncitizens in misdemeanor cases, and passing the Vulnerable Users Bill (all with assistance from former Senator Murray). We've saved the City money and reasserted control over our police litigation by ending a longstanding no-bid contract and bringing our police defense work in-house.

I'm proud of the work my office has done advising and representing the City in civil matters. I'm proud of the work our criminal prosecutors do in the quest for justice. Thank you to the City Council for working with me to reboot the Precinct Liaison Program and put lawyers on the ground in each of our police precincts to

Promoting equality through the law



work directly with line officers and community members.

Looking ahead, this amazing city is already leading what the Brookings Institution calls The Metropolitan Revolution:

“...places [that] have labored to improve the delivery of core services such as education and public safety to ensure good schools, safe streets, and a high quality of life. Now [we] are innovating in the service of a grander ambition and necessary purpose: a local economy that generates wealth and shares prosperity.”

Local prosperity depends on public safety and police reform. I pledge, Mr. Mayor, to stand by you, our Commander-in-Chief, to help bring Seattle the safe, effective and efficient police department we all want and need. Public safety and accountable, constitutional policing are not mutually exclusive. One, in fact, cannot exist without the other.

We must continue to reform drug policy and implement I-502 to finally end marijuana prohibition. I'm proud to have partnered with our City Council to make marijuana legalization work in Seattle, and that means making I-502's regulation and taxation work, too: keeping marijuana away from minors, keeping impaired drivers off the road—but ensuring that patients retain safe access.

The law is a tool for promoting fairness and equality—shared prosperity. Seattle's Race & Social Justice Initiative must live up to promises made to our disadvantaged communities. We strengthen all of Seattle when we make affordable payment plans available to struggling debtors, and hold slumlords accountable. And the City Attorney's Office will enthusiastically assist and guide the Mayor and City Council in navigating the legal issues as we consider and address Seattle's own minimum wage standards.

While Seattle is enjoying signs of economic recovery, our future is ultimately what we will make of it. The nearly 160 servant leaders of the City Attorney's Office—including some 95 Assistant City Attorneys and Prosecutors and 60 legal support professionals—will support our new Mayor and our City Council with excellent legal advice, counsel and representation as they map out Seattle's course on the issues facing us now and in the coming years. I am proud to be a part of this Metropolitan Revolution for another four years.

Attorneys' Swearing-In Ceremony



Treating each defendant individually

Seattle Community Court, a model program known nationwide since 2005, has been updated by the City Attorney's Office in conjunction with Seattle Municipal Court.

The court was created to halt the revolving door of criminal justice through which defendants who repeatedly committed non-violent "quality of life" offenses (shoplifting, trespass in parks, prostitution etc.) simply served more and more jail time. Adhering to the ideals of restorative justice, instead of serving jail time defendants who entered into Community Court gave back to the community by working at local non-profits (Operation Sack Lunch, St. Vincent de Paul, Danny Woo Community Garden, to name a few). Also, defendants were screened for social service needs and were required to meet with applicable providers to get information about addressing those needs.

Community Court 2.0 relies on these core tenets but has expanded the social services component to 1) require more from defendants to address the conditions that may have led to their criminal behavior (e.g. homelessness, chemical dependency, lack of Social Security benefits, etc.) and 2) offer them greater tools and opportunities. A major emphasis of the revamped program is the individualized concerns of each defendant, recognizing that the prior two-week length of the original program was not long enough to provide the structure and stability that some needed to regain their footing. Under the new model, defendants can be supervised in the program for up to six months before their case concludes.

In Community Court 2.0, a probation counselor completes an extensive needs assessment for each defendant, identifying those areas that he or she could benefit from court intervention and designing a plan for compliance. Probation counselors may also require more frequent meetings with the defendants so they can talk about problems they are having in the community. Some of the social service options offered by probation in Community Court 2.0 are:

- Attending a self-awareness class where participants address the choices they make and how to be more conscious of those decisions.
- Chemical dependency and mental health treatment assistance.
- GED classes.
- Employment/ resume assistance.
- Library: Participants are given a tour of the library, introduced to computer resources and given a library card.
- Housing assistance.
- DSHS assistance (food stamps, SSI, etc.)

Along with the increased social service requirements, defendants entering into Community Court are still required to give back to the community by performing 16-56 hours of service depending on how many times they have been through the program. In 2013 Community Court added Seattle Indian Center, the Union Gospel Mission and the YWCA of Seattle/ King County to its list of service partners. Through the court's continuing partnership with the AmeriCorp program, AmeriCorp volunteers help transport and supervise defendants at these service sites.

While much has changed with Community Court, the partnership among the City Attorney's Office, Seattle Municipal Court, Assigned Counsel for the Accused Division of the King County Office of Public Defense and the community remains strong. All the groups are dedicated to helping people who have committed crimes to not reoffend. In its original form, Community Court was a court with an "uncommon approach to a common problem." Community Court 2.0 advances that idea with greater structure and assistance for its participants.

Dan Okada is the Assistant City Prosecutor assigned to Community Court.

City of Seattle v. Francesca Currie – SMC #579954

On June 16, 2012 Officers Corey Williams and Brett Schoenberg were assigned to nightclub emphasis around the Broadway and Pike/Pine Corridor. The area has a high concentration of bars, nightclubs and patrons. The emphasis is both a deterrent and proactive -- it allows officers to be immediately available to respond to 911 calls in the area and on viewed disturbances.

The officers were standing outside their patrol car, which was parked in the Shell gas station parking lot at Broadway and Pike. Shortly before 1 a.m., they observed a man running west on Pike in a full-out sprint. He wasn't wearing a shirt and appeared to be in distress. The officers watched as he ran diagonally through the intersection, ignoring the existing vehicle traffic. The man continued to run north along Broadway. The officers began to follow him in their car in anticipation of a 911 call regarding a disturbance.

The man then ran diagonally across East Pine outside the crosswalk and against the light. The officers decided to initiate a stop for the two crossing violations. They activated their overhead lights right behind the man. The man looked back at the officers and continued walking. The officers stopped their car (Williams was the driver, Schoenberg the passenger). Schoenberg yelled to the man to come over to the car. The officers were unaware that the man was running to meet up with his wife, Francesca Currie.

Completely without warning or provocation, Ms. Currie placed herself between the officers and the man and aggressively yelled at the officers. Neither officer noticed Ms. Currie until she grabbed Williams by the arm in an attempt to prevent any contact with the man. Williams did a defensive move and twisted out of Ms. Currie's grasp. He then had to pull Ms. Currie to the ground to get her under control. The entire incident was captured on the in-car video (ICV). Ms. Currie was arrested for assault and then charged with obstruction and assault.

The City originally offered Ms. Currie a one-year dispositional continuance with 40 community service hours and Alcohol Drug Information School. Ms. Currie rejected the offer and the case went to trial. On the day of trial the City dismissed the obstruction charge. The City submitted only the assault to the jury, which found Ms. Currie guilty.

Throughout the trial the defense argued that Williams' conduct was aggressive and over-reactive, trying to put SPD on trial instead. Jurors, however, stated after the trial that the jaywalking and police takedown was of little interest to them. They focused their deliberation on Ms. Currie's actions and concluded that she was assaultive.

The case was difficult case for Officer Williams, given the police investigation and defense accusations. He maintained a calm and professional attitude throughout. He made himself available whenever needed. He was respectful and patient. It was an honor to seek justice on his behalf.

Tuere Sala is a former Assistant City Prosecutor in the Criminal Division.

FROM THE ARCHIVES

From the 1963 Annual Report (budget was \$339,293; A.L. Newbould was corporation counsel)

Seattle v. Long, 61 Wn.2d 737 (1963)

“In this important criminal case the defendant had challenged the authority of the City by ordinance to require him to have a valid state vehicle operator's license on his person while driving his automobile within the City of Seattle. He had appealed a Municipal Court conviction and fine imposed for violation of such ordinance. Both the Superior and Supreme Courts agreed with the City's contention that under its constitutionally derived authority to enact police regulations “not in conflict with general law,” the City had not lost authority to prohibit the conduct in question by the State Motor Vehicle Code which also makes such conduct punishable as the Code does not show upon its face that it was intended by the legislature to be exclusive. This decision will support many other sections of the new Traffic Code which might otherwise have been similarly attacked. The case was ably tried and argued by Assistant James G. Leach.”



LINKS TO NEWS STORIES :

1/17/14 Former city worker sentenced for stealing more than \$1 million -- A former Seattle Public Utilities engineer was sentenced Friday to 7½ years in prison for stealing more than \$1 million in one of the largest cases of public embezzlement in King County. (Seattle Times)

http://seattletimes.com/html/localnews/2022697458_phansentencedxml.html

1/14/14 Sex offender Michael Stanley pleads guilty to U.S. charges -- A sex offender who fled Canada pleaded guilty Tuesday in Seattle Municipal Court to misdemeanor charges of harassment and resisting arrest. (CBCNews/Calgary)

<http://www.cbc.ca/news/canada/calgary/sex-offender-michael-stanley-pleads-guilty-to-u-s-charges-1.2496386>

1/7/14 The Reign of Seattle's Most Notorious Slumlord Could Be Coming to an End -- After 35 years of putting off repairs to many of his 50-some Roosevelt-neighborhood properties while fending off dozens of civil actions with repetitious court appeals, Hugh Sisley may have finally reached the pinnacle of his reigning Seattle slumlordship. (Seattle Weekly)

<http://www.seattleweekly.com/news/950456-129/the-reign-of-seattles-most-notorious>

1/7/14 Why Seattle Public Library Surrendered Its Gun Ban -- When Seattle Public Library lifted its ban on guns in early November, officials there said they had done so because patrons had complained. (KUOW)

<http://kuow.org/post/why-seattle-public-library-surrendered-its-gun-ban>

12/4/13 City attorney calls for more Seattle pot stores, relaxing buffer rule -- In what he called an effort to make legal pot successful, Seattle City Attorney Pete Holmes urged state officials to change the way they measure the 1,000-foot distance between pot businesses and prohibited areas frequented by youth. (Seattle Times)

<http://blogs.seattletimes.com/today/2013/12/city-attorney-calls-for-more-seattle-pot-stores-relaxing-buffer-rule/>

EVENTS

2/5/14 Pete hosts the steering committee of the Regional Law Safety Justice Committee at noon at City Hall.

www.kingcounty.gov/exec/PSB/RLSJC.aspx

2/6/13 As a panelist, Pete will talk about gun safety and prevention from a public health perspective at the First Baptist Church, 1111 Harvard Ave., Seattle, from 7 to 9 p.m.

2/18/14 Pete will participate in the Sunshine (Public Records Exemptions Accountability) Committee meeting from 9 a.m. to 1 p.m. in the John A. Cherberg Building in Olympia. <http://www.atg.wa.gov/opengovernment/sunshine.aspx>

2/21/14 Pete and CAO staff will attend the Goldmark Award luncheon at the Sheraton from 11:30 to 1:30 p.m. The Legal Foundation of Washington will present the 2014 Charles A. Goldmark Distinguished Service Award to Washington Supreme Court Justice Steven González and Seattle University School of Law Professor Robert Chang.

<http://www.legalfoundation.org/>

2/25/14 Pete will attend the Greater Seattle Business Association's annual Business and Humanitarian Awards Dinner at the Seattle Marriott Waterfront. <http://thegsba.org/>

2/27/14 Pete chairs the full committee meeting of the RLSJC from 7:30 to 9 a.m. in Seattle Municipal Tower, #1600.

www.kingcounty.gov/exec/PSB/RLSJC.aspx

3/6/14 Pete and several CAO staffers will attend the Norm Maleng Advocate for Youth breakfast at the Sheraton, sponsored by the Center for Child and Youth Justice. <http://www.ccyj.org>

3/19/14 Pete will attend the annual King County Bar Foundation [Breakfast with Champions](#) at the Seattle Westin at 7:30a.m. The speaker will be Charles Ogletree, founding and executive director of Harvard Law School's new Charles Hamilton Houston Institute for Race & Justice. <http://www.kcbf.org/>

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To view the 2012 annual report,
please click here:
[http://www.seattle.gov/law/docs/
AnnualReport_latest.pdf](http://www.seattle.gov/law/docs/AnnualReport_latest.pdf)

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The Seattle City Attorney's Office is committed to providing the City of Seattle with the highest caliber legal advice to help protect the health, safety, welfare, and civil rights of all.

The City Attorney's Office has four divisions:

The Civil Division represents the City in lawsuits and advises City officials as they develop programs, projects, policies, and legislation. The sections within the Civil Division include torts (claims), governmental affairs, land use, environmental protection, labor and employment, and contracts/utilities.

The Criminal Division represents the City in prosecuting traffic infractions, misdemeanors, and gross misdemeanors in Seattle Municipal Court. The types of cases prosecuted by the Criminal Division include driving under the influence, traffic infractions, domestic violence, theft, assault, and trespassing.

The Administration Division staff provide budgeting, accounting, human resource, clerical and information technology services for the City Attorney's Office.

The Precinct Liaison Division assigns an assistant city attorney as a liaison to each of the City's five police precincts as another way of addressing public safety and neighborhood livability problems.

How to apply for an internship/externship in the Civil and Criminal Divisions: [http://
www.seattle.gov/law/volunteer_program/](http://www.seattle.gov/law/volunteer_program/)



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